

1. CV 48910 Ebbetts Pass Forest Watch, et al. v California Department of Forestry et al.

Motion Hearing re: Motion for Sanctions pursuant to CCP §128.7

Moving Party: Defendant SPI

Tentative Ruling: The motion for sanctions will be denied. Petitioners' request for attorney fees for having to respond to the motion will be denied.

2. CV 53470 Condor Earth Technologies, Inc. v Ernie Altmann, et al.

Motion Hearing re: Motion for Assignment of Rents, further

Moving Party: Plaintiff

Tentative Ruling: There is no ruling available. Court requires appearance of counsel, either personally or by CourtCall, for argument on issue of validity of service.

3. CV53708 Laree Wagner vs Joshua Kilgore, et al.

Motion Hearing re: Demurrer

Moving Party: Defendants

Tentative Ruling: Plaintiff acted without leave of the Court in amending the fraud cause of action, as the Court overruled the demurrer to that cause of action on November 6, 2008. If Plaintiff seeks to amend this cause of action, leave of the Court must be obtained by way of a noticed motion for leave to amend. This also holds true of the fourth cause of action for common counts included in the third amended complaint.

The amended pleading in the fraud cause of action will be ordered stricken, to be replaced with the language in the first amended complaint. The fourth cause of action for common counts will be ordered stricken.

The demurrer to the partnership cause of action, for dissolution and accounting, will be sustained without leave to amend, as violative of the statute of frauds.

The case management conference set for April 30, 2009 will be vacated. A case management conference will be set for May 28, 2009. Defendant shall file an answer to the fraud cause of action and the constructive trust cause of action prior to the case management conference.

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4. CV 54027 Raylynn Fountain vs County of Tuolumne, et al.

Motion Hearing re: Compel Compliance with Deposition Subpoena

Moving Party: Defendant County of Tuolumne

Tentative Ruling: The motion will be granted as requested.

5. CV 54186 Natwharbhai Patel, et al. vs Sanjay Bakshi, et al.

Motion Hearing re: Compel Responses to Discovery

Moving Party: Plaintiffs

Tentative Ruling: The motion will be denied without prejudice, solely on procedural grounds, as motion was not timely served.

6. CV 53193 Rosa Elia Sanchez, et al. vs Randall Alan Strickland et al.

Motion Hearing re: Motion to Bifurcate Liability from Damages

Moving Party: Defendants

Tentative Ruling: The motion will be denied.